

REMARKS

Claims 17-32 are pending and under consideration. With this Amendment, Claims 17-19, 23-25, 29 and 31 are cancelled, without prejudice or disclaimer, solely to expedite prosecution of the application. Thus, after entry of this Amendment, Claims 20-22, 26-28, 30 and 32 are pending and under consideration.

The specification has been amended to correct an omission in the chemical structure. Support for the amendment can be found throughout the application where R_6 and Q_1 are appropriately defined .

No fees are considered due at this time, however, if a deficiency occurs, please charge our deposit account number 04-1420 to maintain pendency.

Rejection of Claims 25-27, 31-33, 37-39, 43, 45 and 47 under 35 U.S.C. § 112, First Paragraph

To begin, Applicant respectfully asserts that this was an apparent “supercopy” error in the preparation of the Office Action. There are no claims 33, 37-39, 43, 45 or 47 presently pending in this application. It is Applicants representative’s understanding that the claims at issue are 17-19, 23-25, 29 and 31.

Claims 17-19, 23-25, 29 and 31 have been canceled, thereby obviating the basis for this rejection. Reconsideration and withdrawal of this rejection is respectfully requested.

Obviousness-type Double Patenting

Again, Applicant respectfully asserts that this was an apparent “supercopy” error in the preparation of the Office Action. Claims 33-48 are not presently pending in this application. It is Applicants representative’s understanding that the claims at issue are 17-32. Therefore, Claims 17-32 are rejected under the judicially created doctrine of obviousness-type double patenting as being

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unpatentable over claims 1-24 of U.S. Patent No. 6,387,953. Applicant respectfully requests confirmation that this is indeed the correct US Patent that provides the basis for the obviousness-type double patenting rejection, as further explained below.

In the *previous Office Action*, mailed from the US Patent Office on December 31, 2002, Claims 17-32 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-16 of U.S. Patent No. **6,353,026** not US Patent No. 6,387,953. Clarification of the rejection based on the correctly identified US Patent is respectfully requested.

Upon Notice of Allowance, Applicant is willing to provide a terminal disclaimer with regard to properly identified U.S. Patent, thereby obviating the basis for this rejection.

Claims 17-32 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 17-32 of pending U.S. Patent Application No. 10/042,043.

Upon Notice of Allowance, Applicant is willing to provide a terminal disclaimer with regard to U.S. Patent Application No. 10/042,043, thereby obviating the basis for this rejection.

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Conclusion

In view of the foregoing, Applicant submits that all pending claims distinguish over all references cited by the Examiner and respectfully requests that all rejections be withdrawn. The Examiner is invited to telephone the undersigned attorney for Applicant in the event that such communication is deemed to expedite prosecution of this application.

Respectfully submitted,

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Date:

August 21, 2007

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